

REMARKS

Claims 1-20 are pending in the current application. Claims 1 and 11 are independent claims.

Summary of Interview

Applicant initially wishes to thank Examiner Schultz for speaking to Applicants attorneys during a telephonic interview. During both the telephonic interview and the following correspondence, agreement was reached concerning claim language which would overcome the current art of record. Applicant directs the Examiner to the current claim amendments which substantially include the agreed upon claim language.

The 35 U.S.C. § 102(b) Rejections based on Dail

Claims 1-3, 7-13, 17-20 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Dail et al., ("Dail"). Applicant respectfully traverses this art grounds of rejection.

Applicant respectfully directs the Examiner to the summary of the Interview in which claim language which overcomes the current art of record was agreed upon. Applicant further directs the Examiner to the current amendments which introduce claim language substantially similar to that as agreed upon as overcoming the current art of record.

Applicant respectfully requests that the Examiner withdraw the rejection of claims 1-3, 7-13, 17-20.

The 35 U.S.C. § 103(a) Rejections based on Dail in view of Daniel

Claims 5 and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Dail as applied to claims 1 and 11, and further in view of Daniel et al., ("Daniel"). Applicant respectfully traverses this art grounds of rejection.

Applicant respectfully submits that Daniel does not overcome the deficiencies of Dail with respect to claims 1 and 11. As such, claims 5 and 15, dependent upon independent claims 1

and 11, respectively, are likewise allowable over Dail taken separately or in combination with Daniel for at least for the reasons given above with respect to independent claims 1 and 11.

Applicant respectfully requests that the Examiner withdraw the rejection of claims 5 and 15.

The 35 U.S.C. § 103(a) Rejections based on Dail in view of Background Art

Claims 6 and 16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Dail as applied to claims 1 and 11, and further in view of background art disclosed in the present specification (“background art”). Applicant respectfully traverses this art grounds of rejection.

Applicant respectfully submits that the background art does not overcome the deficiencies of Dail as discussed above with respect to independent claims 1 and 11. As such, claims 6 and 16, dependent upon independent claims 1 and 11, respectively, are likewise allowable over Dail taken separately or in combination with the background art for at least for the reasons given above with respect to independent claims 1 and 11.

Applicant respectfully requests that the Examiner withdraw the rejection of claims 6 and 16.

Reconsideration and allowance of all pending claims is respectfully requested.

CONCLUSION

Prompt and favorable consideration of this Reply is respectfully requested. All of the stated grounds of rejection have been properly traversed, accommodated, and/or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number listed below.

Applicant also requests that the Examiner provide Applicant with an indication of his favorable receipt of Applicant's position stated above.

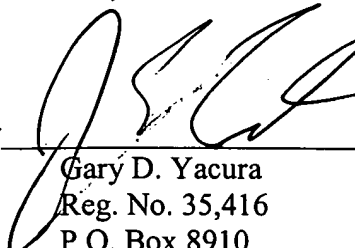
Pursuant to 37 C.F.R. 1.17 and 1.136(a), the Applicant respectfully petitions for a one (1) month extension of time for filing a response in connection with the present application, and the required fee of \$110.00 is attached

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Very truly yours,

HARNESS, DICKEY & PIERCE, PLC

By


37,602 for Gary D Yacura
Gary D. Yacura
Reg. No. 35,416
P.O. Box 8910
Reston, VA 20195
(703) 668-8000

GDY/DAP/krf